



Reply To

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue  
Seattle, WA 98101

07 SEP 2005

WAD 3019  
9-7-05  
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FILE COPY

Attn Of: AWT-121

Ms. RueAnn Thomas, Environmental Programs Director  
J.H. Baxter & Co.  
85 N. Baxter Road  
P.O. Box 10797  
Eugene, Or 97440-2797

Re: Conditional Approval with Modifications of Nonaqueous Phase Liquid  
Investigation Work Plan  
J.H. Baxter & Co. Arlington Facility  
§ 7003 Administrative Order on Consent ("Order")  
Docket No.: RCRA-10-2001-0086  
EPA ID No.: WAD 05382 3019

Dear Ms. Thomas:

The U.S. Environmental Protection Agency, Region 10 ("EPA") has completed its review of the Nonaqueous Phase Liquid ("NAPL") Investigation Work Plan ("NAPL Work Plan"), dated August 22, 2005. Pursuant to Section XII of the Order, the NAPL Work Plan is hereby conditionally approved with modifications. EPA's approval is conditioned upon J.H. Baxter & Co. ("Baxter") modifying the NAPL Work Plan as directed by EPA in this letter. Baxter must submit a new, revised NAPL Work Plan within thirty (30) days of Baxter's receipt of this letter.

The modified NAPL Work Plan is here by modified as specified below:

1. First page, first paragraph - Change the second sentence so that it is clear that the investigation is for NAPL, not just LNAPL. As a general matter, for future reference, Baxter should be aware that EPA is concerned about both LNAPL and DNAPL at the site.
2. First page, second paragraph - While the NAPL has been detected in wells MW-12 and MW-13, it has also been detected in several borings which were not completed as monitoring wells. The NAPL Work Plan must be revised to state that fact, including the location of those borings to reflect the full record.
3. Second page, second paragraph, first sentence - The plan proposes to test the NAPL level on a weekly basis. Instead, EPA requires that these two wells should be measured on a daily basis for at least one full week after the bailing of the well. This would assure that we understand the recovery rate that may occur during that period. After the first week, when it is clear how long it takes the well to recover to the original level, the appropriate frequency of measurements that must occur after each bailing event for the rest of the investigation will be adjusted accordingly and determined in consultation with EPA.
4. The letter report to be submitted to EPA regarding the NAPL investigation shall also include a graph on which the data documented in the NAPL Recovery Form is plotted to indicate the time versus extraction rate.

Implementation of the NAPL Work Plan must commence no later than fourteen (14) calendar days of receipt of this conditional approval with modifications. Baxter must submit a

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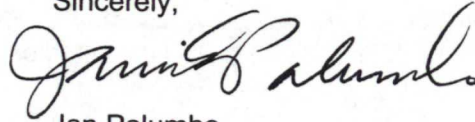


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revised final NAPL Work Plan including all revisions specified above to EPA within thirty (30) calendar days of receipt of this conditional approval with modifications.

Please contact me at (206) 553-6702 or at [palumbo.jan@epa.gov](mailto:palumbo.jan@epa.gov), or have your legal counsel contact Jennifer MacDonald at (206) 553-8311, if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Palumbo", written in a cursive style.

Jan Palumbo  
Project Coordinator

Enclosures

cc: SaraBeth Watson, Steptoe & Johnson, Washington D.C.  
Mary Larson, J.H. Baxter, Arlington  
Les Brewer, Premier Environmental, Portland  
Georgia Baxter, J.H. Baxter, San Mateo

**CORRESPONDENCE ROUTING**

1. AUTHOR: Dalumbo

DATE: 9/2/05

2. SECRETARY: Denise

3. CONCURRENCE: /  
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DATE: /  
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4. SIGNER: \_\_\_\_\_

5. SECRETARY: \_\_\_\_\_  
DRIVE/FILE NAME: \_\_\_\_\_

**ACTIONS NEEDED**

CC: (MS., MRS., MR.) (CIRCLE ONE) see letter for cc's  
ADDRESS \_\_\_\_\_  
CITY, STATE, ZIP \_\_\_\_\_

(MS., MRS., MR.) (CIRCLE ONE) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY, STATE, ZIP \_\_\_\_\_

(MS., MRS., MR.) (CIRCLE ONE) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY, STATE, ZIP \_\_\_\_\_

BCC: see letter for bc's (MacDonald & Fuentes)  
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\_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DEADLINE FOR MAILING: 9/6/05

DEADLINE FOR FAXING: \_\_\_\_\_ FAX #: \_\_\_\_\_

OVERNIGHT MAIL: \_\_\_\_\_ CERTIFIED MAIL: \_\_\_\_\_

WHERE TO FILE: Official/Program: X  
Chrono: X

Rainbowfile folder  
10 A

Denise - Please date letter &  
mail out. Thank you.  
- Jan P.